

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al;)	
)	
)	CIVIL ACTION
)	FILE NO: 1:17cv02989-AT
Plaintiffs,)	
)	
v.)	
)	
BRIAN P. KEMP, et al.;)	
)	
Defendants)	
_____)	

**FULTON COUNTY DEFENDANTS' ANSWER TO CURLING
PLAINTIFFS' SECOND AMENDED COMPLAINT**

COME NOW, the Fulton County Board of Registration and Elections (“FCBRE”), Director Richard Barron, and members of the FCBRE, Mary Carole Cooney, Vernetta Nuriddin, David J. Burge, Stan Matarazzo, Mark Wingate and Aaron Johnson, (hereafter “Fulton County Defendants”) through counsel, and respectfully file this their Answer to the Curling Plaintiffs’ Second Amended Complaint showing the Court as follows:

AFFIRMATIVE DEFENSES

FIRST DEFENSE

Plaintiffs’ claims are barred, in whole or in part for failure to state a claim

upon which relief can be granted, since the Fulton County Defendants are required to comply with state statutes and the Georgia Constitution.

SECOND DEFENSE

To the extent Plaintiffs seek to sue the Fulton County Defendants in their individual capacities, such claims are barred by the doctrine of official immunity.

THIRD DEFENSE

Plaintiffs lack a clear legal right to the relief sought.

FOURTH DEFENSE

The “Preliminary Statement” portion of the Complaint contains legal argument and a summary of Plaintiffs’ claims and does not require an admission or denial. To the extent that any response is required, the Fulton County Defendants deny that Plaintiffs are entitled to any relief.

FIFTH DEFENSE

Fulton County Defendants have not breached a duty owed to Plaintiffs.

SIXTH DEFENSE

Fulton County Defendants’ compliance with Georgia law is being carried out in good faith, without conscious, reckless or negligent disregard for the rights of any voter.

SEVENTH DEFENSE

Fulton County Defendants have not subjected Plaintiffs to the deprivation of any rights, due process or equal protection guaranteed by the Georgia Constitution or the United States Constitution.

EIGHTH DEFENSE

Fulton County Defendants are not capable of providing a remedy to Plaintiffs since their powers and duties do not include the ability to determine what voting system is used in Georgia.

NINTH DEFENSE

Subject to and without waiving the foregoing affirmative defenses, Fulton County Defendants respond to the individually numbered paragraphs of the Curling Plaintiff's Second Amended Complaint as follows:

1.

Paragraph 1 contains Plaintiffs' contentions as to the nature of this action and as such does not require an admission or denial. To the extent a response is required, Fulton County Defendants state that the legal authority cited in the paragraph speaks for itself.

2.

Paragraph 2 contains Plaintiffs' contentions as to the nature of this action

and as such does not require an admission or denial. To the extent a response is required, Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 2, and for this reason, the allegations contained in Paragraph 2 are denied.

3.

Paragraph 3 contains Plaintiffs' contentions as to the nature of this action and as such does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 3.

4.

Paragraph 4 contains Plaintiffs' contentions as to the nature of this action and as such does not require an admission or denial. To the extent a response is required, Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 4, and for this reason, the allegations contained in Paragraph 4 are denied.

5.

Paragraph 5 contains Plaintiffs' contentions as to the nature of this action and as such does not require an admission or denial. To the extent a response is required, Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 5, and for

this reason, the allegations contained in Paragraph 5 are denied.

6.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in paragraph 6, and for this reason, the allegations contained in Paragraph 6 are denied.

7.

Paragraph 7 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 7.

8.

Paragraph 8 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 8.

9.

Paragraph 9 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 9.

10.

Fulton County Defendants deny the allegations contained in Paragraph 10.

11.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in Paragraph 11.

12.

Fulton County Defendants are without knowledge or information sufficient to establish the truthfulness of the allegations contained in Paragraph 12, and for this reason, the allegations contained in Paragraph 12 are denied.

13.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 13, and for this reason, the allegations contained in Paragraph 13 are denied.

14.

Fulton County Defendants are without knowledge or information sufficient to establish the truthfulness of the allegations contained in Paragraph 14, and for this reason, the allegations contained in Paragraph 14 are denied.

15.

Fulton County Defendants are without knowledge or information sufficient establish the truthfulness of the allegations contained in Paragraph 15, and for this reason, the allegations contained in Paragraph 15 are denied.

16.

Fulton County Defendants are without knowledge or information sufficient to establish the truthfulness of the allegations contained in Paragraph 16, and for this reason, the allegations contained in Paragraph 16 are denied.

17.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 17, and for this reason, the allegations contained in Paragraph 17 are denied.

18.

Fulton County Defendants are without knowledge or information sufficient to establish the truthfulness of the allegations contained in Paragraph 18, and for this reason, the allegations contained in Paragraph 18 are denied.

19.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 19, and for this reason, the allegations contained in Paragraph 19 are denied.

20.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 20, and for this

reason, the allegations contained in Paragraph 20 are denied.

21.

Fulton County Defendants are without knowledge or information sufficient to establish the truthfulness of the allegations contained in Paragraph 21, and for this reason, the allegations contained in Paragraph 21 are denied.

22.

Fulton County Defendants admit the allegations contained in Paragraph 22 of Plaintiff's Complaint.

23.

Upon information and belief, Fulton County Defendants admit the allegations contained in Paragraph 23 of Plaintiff's Complaint.

24.

Fulton County Defendants admit the allegations contained in Paragraph 24 of Plaintiff's Complaint.

25.

Fulton County Defendants admit the allegations contained in Paragraph 25 of Plaintiff's Complaint.

26.

Fulton County Defendants admit the allegations contained in Paragraph 26 of

Plaintiff's Complaint.

27.

Fulton County Defendants admit the allegations contained in Paragraph 27 of Plaintiff's Complaint.

28.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

29.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

30.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

31.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

32.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

33.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

34.

Fulton County Defendants state that this party has been dismissed from the case pursuant to Plaintiffs' Stipulation of Dismissal (Doc. 223).

35.

Fulton County Defendants admit that this court has jurisdiction of over this case.

36.

Fulton County Defendants admit that Plaintiffs seek to invoke the jurisdiction of this court pursuant to 28 U.S.C. §§ 1331, 1343, 1367, 2201 and 2202.

37.

Fulton County Defendants admit they reside with the Northern District of Georgia but are without sufficient knowledge to form a belief as to the residence of the other Defendants. Defendants note that Fulton county is but one of 159 counties in Georgia, and as such deny that "a substantial part of the events or omissions" giving rise to these claims occurred in this judicial district.

38.

Fulton County Defendants admit Georgia's voting system relies primarily on DRE voting machines, but denies the remaining allegations contained in Paragraph 38.

39.

Paragraph 39 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 39.

40.

Paragraph 40 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 40.

41.

Paragraph 41 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 41. Further, Fulton County Defendants note that Plaintiffs dismissed Defendant King from this suit. (See Doc. 223).

42.

Fulton County Defendants are without knowledge or information sufficient

to form a belief as to the truthfulness of the allegations contained in Paragraph 42, and for this reason, the allegations contained in Paragraph 42 are denied.

43.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 43, and for this reason, the allegations contained in Paragraph 43 are denied.

44.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 44, and for this reason, the allegations contained in Paragraph 44 are denied.

45.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 45, and for this reason, the allegations contained in Paragraph 45 are denied.

46.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 46, and for this reason, the allegations contained in Paragraph 46 are denied.

47.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations in Paragraph 47, and for this reason, the allegations contained in Paragraph 47 are denied.

48.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 48, and for this reason, the allegations contained in Paragraph 48 are denied.

49.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 49, and for this reason, the allegations contained in Paragraph 49 are denied.

50.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 50, and for this reason, the allegations contained in Paragraph 50 are denied.

51.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph

51, and for this reason, the allegations contained in Paragraph 51 are denied.

52.

Paragraph 52 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 52.

53.

Paragraph 53 contains legal argument that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 53.

54.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 54, and for this reason, the allegations contained in Paragraph 54 are denied.

55.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 55, and for this reason, the allegations contained in Paragraph 55 are denied.

56.

Fulton County Defendants are without knowledge or information sufficient

to form a belief as to the truthfulness of the allegations contained in Paragraph 56, and for this reason, the allegations contained in Paragraph 56 are denied.

57.

Fulton County Defendants are without knowledge or information sufficient to form a belief as to the truthfulness of the allegations contained in Paragraph 57, and for this reason, the allegations contained in Paragraph 57 are denied.

58.

Defendants incorporate their specific responses to paragraphs 1 through 57 as previously set forth herein.

59.

Paragraph 59 contains legal argument that does not require a response, but to the extent a response is required, Fulton County Defendants state that the Due Process Clause and the Fourteenth Amendment of the U.S. Constitution speak for themselves as to content and legal effect.

60.

Paragraph 60 contains legal argument that does not require a response, but to the extent a response is required, Fulton County Defendants state that the Due Process Clause and the Fourteenth Amendment of the U.S. Constitution speak for themselves as to content and legal effect..

61.

Fulton County Defendants deny all allegations contained in Paragraph 61.

62.

Fulton County Defendants deny all allegations contained in Paragraph 62.

63.

Fulton County Defendants deny all allegations contained in Paragraph 63.

64.

Paragraph 64 contains Plaintiffs' contentions as to the nature of this action and as such does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny that they have failed to comply with the Election Code.

65.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and deny each allegation in Paragraph 65.

66.

Defendants incorporate their specific responses to paragraphs 1 through 65 as previously set forth herein.

67.

The Equal Protection Clause of the Fourteenth Amendment of the U.S.

Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

68.

The Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

69.

Fulton County Defendants state that pursuant to the Georgia Election Code, voters in the elections at issue have voted by DRE voting machines or by paper absentee or provisional ballots.

70.

Fulton County Defendants admit the allegations contained in Paragraph 70.

71.

Fulton County Defendants deny all allegations contained in Paragraph 71.

72.

Fulton County Defendants deny all allegations contained in Paragraph 72.

73.

Fulton County Defendants deny all allegations contained in Paragraph 73.

74.

Fulton County Defendants deny all allegations contained in Paragraph 74.

75.

Fulton County Defendants deny all allegations contained in Paragraph 75.

76.

Fulton County Defendants deny all allegations contained in Paragraph 76.

77.

Fulton County Defendants deny all allegations contained in Paragraph 77.

78.

Fulton County Defendants deny all allegations contained in Paragraph 78.

79.

Fulton County Defendants deny all allegations contained in Paragraph 79.

80.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and deny each allegation in paragraph 80.

81.

Defendants incorporate their specific responses to paragraphs 1 through 80 as previously set forth herein.

82.

The Fourteenth Amendment of the U.S. Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

83.

Paragraph 83 contains legal argument that does not require a response, but to the extent a response is required, Fulton County Defendants state that the Due Process Clause of the Fourteenth Amendment of the U.S. Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

84.

Paragraph 84 contains legal argument that does not require a response, but to the extent a response is required, Fulton County Defendants state that the Due Process Clause of the Fourteenth Amendment of the U.S. Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

85.

Fulton County Defendants deny all allegations contained in Paragraph 85.

86.

Paragraph 86 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 86.

87.

Paragraph 87 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 87.

88.

Paragraph 88 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 88.

89.

Defendants incorporate their specific responses to paragraphs 1 through 88 as previously set forth herein.

90.

Paragraph 90 does not require a response, but to the extent a response is required, Fulton County Defendants state that the Fourteenth Amendment of the U.S. Constitution speaks for itself as to content and legal effect. The Fulton

County Defendants deny any allegation inconsistent therewith.

91.

Fulton County Defendants deny all allegations contained in Paragraph 91.

92.

Paragraph 92 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 92.

93.

Fulton County Defendants deny all allegations contained in Paragraph 93.

94.

Paragraph 94 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 94.

95.

Defendants incorporate their specific responses to paragraphs 1 through 94 as previously set forth herein.

96.

The Equal Protection Clause Fourteenth Amendment of the U.S. Constitution speaks for itself as to content and legal effect. The Fulton County

Defendants deny any allegation inconsistent therewith.

97.

Paragraph 97 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 97.

98.

Paragraph 98 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 98.

99.

Paragraph 99 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 99.

100.

Paragraph 100 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 100.

101.

Fulton County Defendants deny all allegations contained in Paragraph 101.

102.

Fulton County Defendants deny all allegations contained in Paragraph 102.

103.

Defendants incorporate their specific responses to paragraphs 1 through 102 as previously set forth herein.

104.

The Georgia Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

105.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

106.

Paragraph 106 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 106.

107.

Paragraph 107 requires no direct response from Fulton County Defendants. To the extent a response is required, Fulton County Defendants are without

knowledge or information sufficient to establish the truthfulness of the allegations contained in Paragraph 107 and for that reason, the allegations of Paragraph 107 are denied.

108.

Paragraph 108 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 108.

109.

Fulton County Defendants deny all allegations of Paragraph 109.

110.

Fulton County Defendants deny all allegations of Paragraph 110.

111.

Fulton County Defendants deny all allegations of Paragraph 111.

112.

Paragraph 112 contains legal argument and Plaintiffs' contentions as to the nature of this action that does not require an admission or denial. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 112.

113.

Defendants incorporate their specific responses to paragraphs 1 through 112 as previously set forth herein.

114.

The Georgia Constitution speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

115.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

116.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

117.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

118.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

119.

The Georgia Election Code speaks for itself as to content and legal effect.
The Fulton County Defendants deny any allegation inconsistent therewith.

120.

The Georgia Election Code speaks for itself as to content and legal effect.
The Fulton County Defendants deny any allegation inconsistent therewith.

121.

The Georgia Election Code speaks for itself as to content and legal effect.
The Fulton County Defendants deny any allegation inconsistent therewith.

122.

The Rules and Regulations of the State of Georgia speak for themselves as
to content and legal effect. The Fulton County Defendants deny any allegation
inconsistent therewith.

123.

Fulton County Defendants deny all allegations contained in Paragraph 123.

124.

Fulton County Defendants deny all allegations contained in Paragraph 124.

125.

Paragraph 125 contains legal argument and Plaintiffs' contentions as to the

nature of this action. Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 125.

126.

Paragraph 126 is not directed toward the Fulton County Defendants.

Fulton County Defendants incorporate their specific responses to paragraphs 1 through 125 as previously set forth herein.

127.

Paragraph 127 is not directed toward the Fulton County Defendants.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

128.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

129.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

130.

The Georgia Election Code speaks for itself as to content and legal effect.

The Fulton County Defendants deny any allegation inconsistent therewith.

131.

Paragraph 131 contains legal argument and Plaintiffs' contentions as to the nature of this action and requires no direct response from Fulton County Defendants. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 131.

132.

Paragraph 132 contains legal argument and Plaintiffs' contentions as to the nature of this action and requires no direct response from Fulton County Defendants. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 132.

133.

Paragraph 133 contains legal argument and Plaintiffs' contentions as to the nature of this action and requires no direct response from Fulton County Defendants. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 133.

134.

Paragraph 134 contains legal argument and Plaintiffs' contentions as to the nature of this action and requires no direct response from Fulton County

Defendants. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 134.

135.

Fulton County Defendants deny Plaintiffs are entitled to the relief sought in Paragraph 135.

136.

Fulton County Defendants deny Plaintiffs are entitled to the relief sought in Paragraph 136.

137.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 137.

138.

Defendants incorporate their specific responses to paragraphs 1 through 137 as previously set forth herein.

139.

The Georgia Election Code speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

140.

Fulton County Defendants deny all allegations contained in Paragraph 140.

141.

Fulton County Defendants deny all allegations contained in Paragraph 141.

142.

Fulton County Defendants deny all allegations contained in Paragraph 142.

143.

Fulton County Defendants deny all allegations contained in Paragraph 143.

144.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 144.

145.

Defendants incorporate their specific responses to paragraphs 1 through 144 as previously set forth herein.

146.

The Code of Georgia speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

147.

Paragraph 147 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 147.

148.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 148, and for this reason, the allegations contained in Paragraph 148 are denied.

149.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 149, and for this reason, the allegations contained in Paragraph 149 are denied.

150.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 150, and for this reason, the allegations contained in Paragraph 150 are denied.

151.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 151, and for this reason, the allegations contained in Paragraph 151 are denied.

152.

The Code of Georgia speaks for itself as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

Further, Paragraph 152 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 152.

153.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 153, and for this reason, the allegations contained in Paragraph 153 are denied.

154.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 154.

155.

Defendants incorporate their specific responses to paragraphs 1 through 154 as previously set forth herein.

156.

The Georgia Election Code and the Rules and Regulations of the State of Georgia speak for themselves as to content and legal effect. The Fulton County Defendants deny any allegation inconsistent therewith.

157.

Paragraph 157 contains legal argument that does not require a response. To

the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 157.

158.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 158, and for this reason, the allegations contained in Paragraph 158 are denied.

159.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 159 about the Cobb or DeKalb Defendants who have since been dismissed from this suit (See Doc. 223), and for this reason, the allegations contained in Paragraph 159 are denied.

160.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 160, and for this reason, the allegations contained in Paragraph 160 are denied.

161.

Paragraph 161 contains legal argument that does not require a response. To the extent a response is required, Fulton County Defendants deny all allegations of Paragraph 161.

162.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 162 about the Cobb and DeKalb Defendants who have since been dismissed from this action (See Doc. 223).

Accordingly, Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 162.

163.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 163.

164.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 164 about the Cobb and DeKalb Defendants who have since been dismissed from this action (See Doc. 223).

Accordingly, Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 164.

165.

Fulton County Defendants deny that Plaintiffs are entitled to any of the

relief sought and denies each allegation in paragraph 165.

166.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 166.

167.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 167.

168.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 168.

169.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 169.

170.

Fulton County Defendants are without knowledge or information sufficient to form a response to the allegations contained in Paragraph 170 about the Cobb and DeKalb Defendants who have since been dismissed from this action (See Doc. 223).

Accordingly, Fulton County Defendants deny that Plaintiffs are entitled to

any of the relief sought and denies each allegation in paragraph 170.

171.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 171.

172.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 172.

173.

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and denies each allegation in paragraph 173.

GENERAL DENIAL

Fulton County Defendants deny that Plaintiffs are entitled to any of the relief sought and deny each numbered paragraph of the Prayer for Relief. Defendants further deny each and every allegation of the Complaint not specifically admitted denied or otherwise contradicted herein responded to

WHEREFORE, the Fulton County Defendants request:

- (a) That the Complaint be dismissed;
- (b) That all relief sought by Plaintiffs be denied;
- (c) That judgment be issued in Fulton County Defendants' favor;

(d) That attorneys' fees and costs be assessed against Plaintiffs; and

(f) Any other further relief as this Court deems just and proper.

Respectfully submitted this 4th day of June, 2019.

OFFICE OF THE COUNTY ATTORNEY

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s/Cheryl Ringer
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AARON JOHNSON, AND THE FULTON
COUNTY BOARD OF REGISTRATION

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FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al;)	
)	CIVIL ACTION
)	FILE NO: 1:17cv02989-AT
Plaintiffs,)	
)	
v.)	
)	
BRIAN P. KEMP, et al.;)	
)	
Defendants)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing **FULTON COUNTY DEFENDANTS' ANSWER TO CURLING PLAINTIFFS' SECOND AMENDED COMPLAINT** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

s/ Cheryl Ringer
Georgia Bar Number: 557420
cheryl.ringer@fultoncountyga.gov

This 4th day of June, 2019.

Office of the County Attorney
141 Pryor Street, S.W.
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Atlanta, Georgia 30303
Telephone: (404) 612-0246